

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**CHRISTOPHER LYNN THOMPSON,
individually and on behalf of all persons
similarly situated,**

Plaintiff,

v.

PEAK ENERGY SERVICES USA, INC.,

Defendant.

Civil Action No.: 2:13-cv-00266-CRE

ELECTRONICALLY FILED

**PLAINTIFF’S UNOPPOSED MOTION FOR
APPROVAL OF ATTORNEYS’ FEES AND COSTS**

Pursuant to Federal Rule of Civil Procedure 23(h), Class Counsel¹ for Plaintiff Christopher Lynn Thompson, individually and on behalf of all others similarly situated, seek reimbursement for their counsel’s fees in the amount of Six Hundred Thousand Dollars (\$600,000.00) (which is one-third of the Gross Settlement Amount and approximately 89% of Class Counsel’s actual, current lodestar), and the payment of out-of-pocket costs incurred by Class Counsel, which currently are \$32,514.68, as established by the Settlement Agreement between Plaintiff and Clean Harbors Surface Rentals f/k/a Peak Energy Services USA, Inc. (“Defendant” or “Peak”).

¹ Class Counsel includes the law firms of Berger & Montague, P.C. and Hardin & Hughes, LLP. The law firm of Winebrake & Santillo, LLC was counsel for the plaintiffs in *Proctor v. Peak Energy Services USA, Inc.*, No. 2:13-cv-01520-CRE (W.D. Pa.) (“*Proctor* Plaintiffs” or “*Proctor* Action”) that was commenced in the United States District Court for the Middle District of Pennsylvania and was subsequently amended, transferred to the Western District of Pennsylvania, and consolidated with the present action. Class Counsel seeks reimbursement of attorneys’ fees and costs on behalf of counsel for the *Proctor* Plaintiffs from the amounts negotiated in the Settlement Agreement.

This Motion is based on the accompanying Memorandum of Law, the Declarations of Shanon J. Carson, David A. Hughes, and R. Andrew Santillo, and all other records, pleadings and papers on file in this action. Pursuant to the terms of the Settlement Agreement, Defendant does not oppose this Motion.

Dated: October 2, 2014

Respectfully submitted,

s/ Shanon J. Carson

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Attorneys for Plaintiff and the Class

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon counsel for Defendant through the Court's ECF system this 2nd October of October 2014.

s/ Shanon J. Carson
Shanon J. Carson